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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/100,624	06/19/1998	DEAN VAN PHAN	7187	8762

27752 7590 12/29/2004

THE PROCTER & GAMBLE COMPANY
INTELLECTUAL PROPERTY DIVISION
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EXAMINER

BEFUMO, JENNA LEIGH

ART UNIT	PAPER NUMBER
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1771

DATE MAILED: 12/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n N .

09/100,624

Applicant(s)

PHAN, DEAN VAN

Examin r

Jenna-Leigh Befumo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-9,11-18 and 20-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-9,11-18 and 20-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 8, 2003 has been entered.
2. Claims 1 – 3, 5 – 9, 11 – 18, and 20 – 25 are pending.
3. The 35 USC 103 rejection based on Trokhan et al. (5,556,509) in view of Deschamps (FR 394134) is withdrawn since using a woven layer instead of the nonwoven felt layer in the papermaking belt taught by Trokhan et al. would not produce the claimed air permeability without destroying the teaching of Trokhan et al. with regards to the felt layer having a higher density and smaller pores than the second felt surface (see Interview Summary filed August 6, 2001). However, a new rejection for claims 1 – 3, 5 – 8 and 20 – 21 have been set forth below.

Claim Rejections - 35 USC § 103

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
5. Claims 1 – 3, 5 – 9, 11 – 18, and 20 – 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trokhan et al. ('509) in view of Trokhan et al. (5,624,790).

The features of Trokhan et al. ('509) and Trokhan et al. ('790) have been set forth in the previous Office Action. While Trokhan et al. ('509) discloses a papermaking belt comprising a woven fabric having a felt layer on either side of the woven layer and a discontinuous

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photosensitive resinous coating on the paper-facing side of the belt, Trokhan et al. ('509) fails to teach a woven reinforcing layer supporting the photosensitive resinous material layer. Trokhan et al. ('790) discloses using a woven layer which can have multiple warp and weft layers as well as various weave patterns as the reinforcing layer for the photosensitive resinous coating. The reinforcing woven layer strengthens the resinous coating and has suitable open areas to allow the water to be removed from the paper web (column 12, lines 57 – 65). Therefore, it would have been obvious to one of ordinary skill in the art to add the reinforcing woven layer of Trokhan et al. ('790) to the papermaking belt taught by Trokhan et al. ('509) to strengthen the resinous coating layer without interfering with the removal of fluids from the paper web. Thus, the open weave reinforcing layer coating with the discontinuous photosensitive resin would equate to the applicant's first lamina and the woven layer with the batting layers on either side would equate to the applicant's second lamina. Therefore, the open weave of the first lamina would have a greater air permeability than the second layer. Thus, claim 1 is rejected.

Trokhan et al. ('509) discloses dependant claims 2-3, and 5-8 as set forth in the previous office actions.

Claims 22 and 25 are also disclosed by Trokhan et al. ('509)(col. 3, lines 55-61).

With respect to claim 23, Trokhan et al. ('790) discloses that the reinforcing layer has an air permeability of 800 to 1400 cfm (column 16, lines 22 – 25).

With respect to claim 24, Trokhan ('790) discloses that the shed is the number of yarns in which the weave pattern repeats (column 18, lines 4 – 9). Further Trokhan et al. ('790) teaches that the weave pattern can have various alternating patterns with an unlimited number of possible combinations which are all included within the scope of the present invention (column 20, lines

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60 – 65). Therefore, it would have been obvious to one of ordinary skill in the art to choose a repeating pattern with a square weave woven fabric having a shed of two since Trokhan ('790) discloses that any possible combination of weave patterns are included within the scope of the present invention. Further, it would have been obvious to one of ordinary skill in the art to modify the weave structure to modify the knuckle pattern on the paper side of the belt and produce a desired design in the paper web.

Claims 9, 11 – 18, and 20 – 21 are rejected for the reasons of record.

Response to Arguments

6. Applicant's arguments filed May 8, 2003 have been fully considered but they are not persuasive. The Applicant argues that the woven structure according to Trokhan ('790) cannot simultaneously satisfy the functionality of the high density felt layer disclosed in Trokhan et al. ('509) and the requirement of the present invention that the air permeability of such a layer be greater than the permeability of the second layer of the belt (response, page 2). As set forth above the present rejection does not replace the high density felt layer with a woven layer, but instead adds the woven reinforcing layer to the belt structure taught by Trokhan et al. ('509) between the coating layer and the high density felt layer. Thus, the woven layer does not need to meet the requirements of the high density felt layer. Further, it is noted that Trokhan et al. ('509) does not teach the high density layer need to directly contact the paper web. Instead the discontinuous photosensitive resin layer is in direct contact with the paper layer and other mechanical means are used to draw the water out of the paper web layer, such as vacuums and presses. Further, since the woven reinforcing layer has an open weave structure, it will not interfere with the removal of water from the paper web. Therefore, the rejection is maintained.

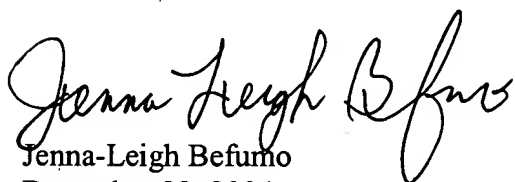
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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jenna-Leigh Befumo whose telephone number is (571) 272-1472. The examiner can normally be reached on Monday - Friday (8:00 - 5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on (571) 272-1478. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jenna-Leigh Befumo
December 22, 2004